

Fax 513 345 5343

AO88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the
UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF OHIO

STANLEY HERBERT

SUBPOENA IN A CIVIL CASE

V.

MILFORD TOWING & SERVICE, INC., ET. AL.

Case Number:¹ C-1-00-855

TO: CONSTRUCT-ALL
 1250 Neale Lane
 Loveland, Ohio 45140

G YOU ARE COMMANDED to appear in the United States District court at the place, date, and time specified below to testify in the above case.

PLACE OF TESTIMONY	COURTROOM
	DATE AND TIME

G YOU ARE COMMANDED to appear at the place, date, and time specified below to testify at the taking of a deposition in the above case.

PLACE OF DEPOSITION	DATE AND TIME
Hunt, Nichols & Schwartz, 97 Main Street, Batavia, Ohio 45103	October 22, 2003

G YOU ARE COMMANDED to produce and permit inspection and copying of the following documents or objects at the place, date, and time specified below (list documents or objects):

Any and all documentation relating to any relationship by and between Construct-All and Stanley Herbert for the past five (5) years, including, but not limited to, employment records, invoices and/or billing statements, subcontracting and/or servicing agreements and/or records regarding maintenance of all vehicles owned by Construct-All.

PLACE	DATE AND TIME
Hunt, Nichols & Schwartz, 97 Main Street, Batavia, Ohio 45103	October 22, 2003

G YOU ARE COMMANDED to permit inspection of the following premises at the date and time specified below.

PREMISES	DATE AND TIME

Any organization not a party to this suit that is subpoenaed for the taking of a deposition shall designate one or more officers, directors, or managing agents, or other persons who consent to testify on its behalf, and may set forth, for each person designated, the matters on which the person will testify. Federal Rules of Civil Procedure, 30(h)(6).

ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLAINTIFF OR DEFENDANT)	DATE
<i>James A. Hunt - Attorney for Defendant Klute</i>	10/15/03
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER	
James A. Hunt, (0004784) 97 Main Street, Batavia, Ohio 45103	

(See Rule 45, Federal Rules of Civil Procedure, Parts C & D on next page.)

¹ If action is pending in district other than district of issuance, state district under case number.

Customer History

Store: 6005 1/01/2003 Through 10/16/2003
 Location: 1228 State Route 28 Milford, OH

Page: 1
 Date: 10/16/2003
 Time: 11:04AM

Stan Herbert, 123456 LOVELAND, OH 45140

Date	Tx No	SKU	Mfg Part No	Quantity	Amount
5/14/03	6228	3278042	PB286HD	1	\$6.19
6/11/03	265	8130005	10W30QT	6	\$5.28
6/11/03	265	5700493	L30001	1	\$2.79
6/11/03	265	7040071	A5000	2	\$3.96
6/11/03	265	7040326	FEB1ST0921A	1	\$1.77
6/11/03	265	5191351	A70646	1	\$4.49
6/11/03	265	9013041	A1705	1	\$9.99
6/11/03	265	5192951	1726301509	3	\$3.66
6/13/03	450	5676304	YH141400	1	\$16.88
6/13/03	450	5676304	YH141400	1	\$16.88
6/13/03	450	5290104	18699	1	\$19.98
7/27/03	6704	3610241	MKD508	1	\$15.19
7/27/03	6704	3568059	YH141908	2	\$32.18
7/27/03	6704	5060087	710K6	1	\$11.88
7/27/03	6704	5600510	51721408067	1	\$2.28

Total Sales: \$153.40 Total Refunds: \$0.00 Net Total: \$153.40

* Totals do not include tax.

Customer History

Store: 6005

1/01/2003 Through 10/16/2003

Page: 1

Location: 1228 State Route 28 Milford, OH

Date: 10/16/2003

Time: 11:05AM

STAN HERBERT, 123456 Loveland, OH 45140

Date	Tx No	SKU	Mfg Part No	Quantity	Amount
5/22/03	7347	3650405	H38183	-1	\$-19.74
5/22/03	7347	5620449	184126	1	\$14.47
5/22/03	7347	95620449	184126	1	\$15.00
5/22/03	6753	95620449	184126	-1	\$-15.00

Total Sales: \$29.47

Total Refunds: \$-34.74

Net Total: \$-5.27

* Totals do not include tax.